

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

07/05/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR. 04-00401HG  
CASE NAME: U.S.A. v. (04) MARY H. VANDERVELDE  
ATTYS FOR PLA: Beverly Wee Sameshima  
ATTYS FOR DEFT: Jack F. Schweigert  
U.S.P.O: Malia Eversole

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JUDGE:	Helen Gillmor	REPORTER:	Stephen Platt
DATE:	July 5, 2006	TIME:	2:00 - 2:40

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COURT ACTION: SENTENCING AS TO COUNT 1 OF THE INDICTMENT  
AS TO (04) MARY H. VANDERVELDE  
DEFENDANT MARY H. VANDERVELDE'S MOTION FOR  
DOWNWARD DEPARTURE

The defendant is present in custody.

The Court previously found that the defendant qualifies for the "safety valve" provision as set forth in 18 U.S.C. Section 3553(f)(1)thru(5).

The Defendant's Motion for Downward Departure is DENIED.

Allocution by the defendant.

ADJUDGED: Impr of 10 mos.

SUPERVISED RELEASE: 5 yrs. upon the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)

4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. That the defendant execute all financial disclosure forms, and provide the Probation Office access to any requested financial information.
9. That the defendant shall submit her person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
10. That the defendant participate in a mental health program at the discretion and direction of the Probation Office.
11. That the defendant shall comply with the plans and recommendations of the Department of Health Adult Mental Health Division and its representatives, at the discretion and direction of the Probation Office.
12. That the defendant shall participate in treatment at Sand island Treatment Center (SITC), which may also include residing at SITC, at the discretion and direction of the Probation Office.
13. That the defendant reside on the island of Oahu and not travel and/or relocate to the island of Maui without the prior approval of the Probation Office.

Special Assessment: \$100.00.

Advised of rights to appeal the sentence, etc.

Submitted by: David H. Hisashima, Courtroom Manager

Submitted by: Mary Rose Feria, Courtroom Manager